### SUPPORT FOR THE AMENDMENT

This Amendment cancels Claims 2-3; amends Claims 1 and 4; and adds new Claims 23-27. Support for the amendments is found in the specification and claims as originally filed. In particular, support for Claims 1 is found in canceled Claims 2-3.

Support for new Claim 23 is found in the specification at least at page 13, line 11. Support for new Claim 24 is found in the specification at least at page 13, line 25. Support for new Claim 25 is found in the specification at least at page 15, line 8. Support for new Claim 26 is found in the specification at least at page 19, line 14. Support for new Claim 27 is found in the specification at least at page 19, line 23. No new matter will be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1 and 4-27 will be pending in this application. Claims 1, 8, 15, 16, 19 and 21 are independent. Claims 8-22 are withdrawn from consideration pursuant to a Restriction Requirement.

#### REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

The present invention provides a silicon carbide matrix composite material comprising a silicon carbide matrix and a silicon phase. The silicon carbide matrix comprises a first silicon carbide phase and a second silicon carbide phase. The silicon phase is continuously present in network form in interstices of silicon carbide crystal grains constituting the silicon carbide matrix. By controlling the microstructure of the silicon carbide matrix composite material, the present invention substantially improves the strength and fracture toughness of the silicon carbide matrix composite material. Specification at page 6, lines 1-6.

The silicon phase has a continuous network structure. When the silicon phase exists discontinuously, the segregation of the silicon phase is broken out in the composite material. Since the strength of the silicon phase is lower than that of the silicon carbide matrix, if the segregation of the silicon phase is broken out in the composite material, the strength of the composite material is degraded. See, e.g., specification at page 14, [0045].

The silicon phase has an average diameter in a range of 0.03 to 3 µm. The mechanical properties of the composite material can be improved by controlling the microstructure of the silicon phase. The average diameter of the Si phase corresponds to an average distance between the silicon carbide crystal grains. The small average diameter of the silicon phase means that the silicon phase is miniaturized and uniformly distributed in the intersticies of the silicon carbide crystal grains. Specification at [0047].

When the average diameter of the silicon phase is in the range of 0.03 to 3  $\mu$ m, a SiC matrix composite material having high strength and toughness can be obtained with good reproducibility. If the silicon phase has an average diameter of less than 0.03  $\mu$ m, it is difficult to maintain the network structure, a defect such as holes tends to occur, and the mechanical properties become unstable. Specification at [0048].

Claims 1-7 are rejected under 35 U.S.C. § 102(b) or, in the alternative, under 35 U.S.C. § 103(a) over U.S. Patent No. 4,019,913 ("Weaver").

Weaver discloses a method for fabricating reaction-bonded silicon carbide shapes.

Weaver at column 3, lines 32-33. Weaver's process utilizes a mixture of silicon carbide powder and powdered carbon (e.g., colloidal graphite), each with an average particle size of less than 10 microns. Weaver at abstract; column 3, lines 35-39. The powder mixture is pressed into a desired shape, and fired at approximately 2000°C in the presence of silicon, converting the graphite to silicon carbide. Weaver at abstract.

However, <u>Weaver</u> is silent about and fails to suggest the average grain diameter of the silicon carbide formed by reaction between graphite and silicon (corresponding to independent Claim 1's "second silicon carbide phase") or the average grain diameter of the silicon after firing (corresponding to Claim 1's "silicon phase"). The Office Action at page 3, line 1, admits the "the grain sizes of the final article (sic) are not disclosed" in <u>Weaver</u>.

Yet, the Office Action at page 3, lines 1-3, asserts "the particle sizes and process of making [in Weaver] are not unlike that claimed therefore the claimed grain sizes would be inherent of the composite taught by Weaver et al".

On the contrary, <u>Weaver</u>'s process is quite different than that used to produce the silicon matrix composite material of the present invention. <u>Weaver</u>'s process uses much higher temperatures and vaporized Si. <u>Weaver</u> discloses:

If the shape to be made is relatively simple so that it may be formed directly by pressing, then the twice milled and dried silicon carbide-carbon molding powder is pressed to shape and either exposed to silicon metal vapors or contacted with molten silicon at a temperature in excess of 2000°C. This heat treatment causes densification of the original silicon carbide and the in situ formation of new silicon carbide. Weaver at column 3, line 64 to column 4, line 3 (emphasis added).

The melting point of silicon is 1410°C (= 1683 K); and the boiling point of silicon is 2355°C (= 2628 K). <u>Hawley's Condensed Chemical Dictionary</u>, <u>Twelfth edition</u>, page 1035 (copy attached).

The vapor pressure of silicon at 2000°C (= 2273 K) is almost 1 torr. Handbook of Thin Film Technology, pages 1-16 and 1-17 (copy attached).

At <u>Weaver</u>'s temperatures in excess of 2000°C (= 2273 K), molten silicon becomes a vapor. The Si vapor does not penetrate substantially into <u>Weaver</u>'s shaped SiC body as it is being fired. The Si vapor that remains in <u>Weaver</u>'s SiC body does not form a continuous network structure and does not have an average diameter in a range of 0.03 to 3  $\mu$ m.

In contrast to <u>Weaver</u>, the silicon carbide matrix composite material of the present invention is produced by impregnating a compact of silicon carbide powder and carbon powder with molten silicon at a temperature on the order of the melting point of silicon (~1400°C). See, e.g., specification at page 22, lines 19-21. In other words, <u>Weaver</u> impregnates with silicon at a temperature 600°C (= 2000°C - 1400°C) higher than the present invention.

Because the processes used in <u>Weaver</u> and the present invention are so different, the independent Claim 1 limitations of a "silicon carbide matrix composite material, comprising: a silicon carbide matrix which comprises a first silicon carbide phase having silicon carbide crystal grains with an average crystal grain diameter in a range of 0.1 to 10 μm and a *second silicon carbide phase* having silicon carbide crystal grains with an average crystal grain diameter in a range of 0.01 to 2 μm; and a *silicon phase* which is continuously present in network form in interstices of the silicon carbide crystal grains constituting the silicon carbide matrix, and has an average diameter in a range of 0.03 to 3 μm, wherein the composite material contains the silicon phase in a range of 5 to 50 mass%" are not inherent (i.e., necessarily present) in <u>Weaver</u>.

Because <u>Weaver</u> fails to suggest all of the limitations of independent Claim 1, the rejection over <u>Weaver</u> should be withdrawn.

Claims 1-7 are rejected under 35 U.S.C. § 102(b) or, in the alternative, under 35 U.S.C. § 103(a) over U.S. Patent No. 5,589,116 ("Kojima").

<u>Kojima</u> discloses a process for preparing a silicon carbide sintered body having sufficient purity for use in equipment for manufacturing semiconductor devices. <u>Kojima</u> at column 1, lines 10-13. <u>Kojima</u>'s process comprises the steps of shaping a silicon carbide powder, calcining the shaped body in a non-oxidizing atmosphere to form a porous body, and subjecting the porous body to reaction sintering while being impregnated with molten

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metallic silicon. <u>Kojima</u> at column 3, lines 28-34. <u>Kojima</u> discloses that the silicon carbide powder has a free carbon content of not greater than about 20% by weight. <u>Kojima</u> at column 3, lines 36-37. The free carbon is distributed in the form of carbon fine particles having a diameter of about 0.01-0.1 μm around the polycrystalline particles of silicon carbide. <u>Kojima</u> at column 9, lines 5-12.

When the free carbon is distributed around the silicon carbide powder, the silicon carbide powder will be sintered easily, and the silicon carbide produced by the reaction of free carbon and silicon is condensed. As a result, the Si phase which exists in the interstices of the silicon carbide crystal grains is also condensed. In <u>Kojima</u>, the Si phase exists discontinuously, and the segregation of the Si phase is broken out in the silicon carbide sintered body.

Thus, <u>Kojima</u> fails to suggest the independent Claim 1 limitations of a "silicon carbide matrix composite material, comprising: ... a *silicon phase* which is **continuously present in network form** in interstices of the silicon carbide crystal grains constituting the silicon carbide matrix, and has an **average diameter in a range of 0.03 to 3 µm**, ...".

Therefore, the rejection over <u>Kojima</u> should be withdrawn.

Claims 1 and 4 are rejected under 35 U.S.C. § 112, second paragraph. To obviate the rejection, Claims 1 and 4 are amended.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

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Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C. Norman F. Oblon

Corwin P. Umbach, Ph.D. Registration No. 40,211

Attached:

Hawley's Condensed Chemical Dictionary, Twelfth edition, page 1035 Handbook of Thin Film Technology, pages 1-16 and 1-17

Customer Number 22850

Tel: (703) 413-3000 Fax: (703) 413 -2220 (OSMMN 03/06) conditioning, drying of compressed air and other gases, and liquids, such as refrigerants and oils containing water in suspension, recovery of natural gasoline from natural gas, bleaching of petroleum oils, catalyst and catalyst carrier, chromatography, anti-caking agent in cosmetics and pharmaceuticals, in waxes to prevent slipping, in dietary supplements.

See also silicic acid, "Britesorb" [PQ Corp.].

"Silic AR" [Mallinckrodt]. TM for silica-gelbased formulations, suitable for various chromatographic applications. The numerical suffixes indicate the approximate pH of a 10% slurry. Letters F, G, or GF indicate that the product contains a fluorescent material, gypsum binder, or both. "TLC" indicates suitability for thin-layer chromatography.

silicate. Any of the widely occurring compounds containing silicon, oxygen, and one or more metals with or without hydrogen. The silicon and oxygen may combine with organic groups to form silicate esters. Most rocks (except limestone and dolomite) and many mineral compounds are silicates. Typical natural silicates are gemstones (except diamond), beryl, asbestos, talc, clays, feldspar, mica, etc. Portland cement contains a high percentage of calcium silicates. Best known of the synthetic (soluble) silicates is sodium silicate (water glass).

Hazard (natural silicate dusts): Toxic by inhalation.

Use: Fillers in plastics and rubber, paper coatings, antacids, anticaking agents, cements.

silicate garden. The irregular, colored tubular growths formed in dilute aqueous silicate solutions by dropping water solutions of heavy metal salts into them.

silicic acid. (hydrated silica). CAS: 7699-41-4. SiO<sub>2</sub>•nH<sub>2</sub>O. The jelly-like precipitate obtained when sodium silicate solution is acidified. The proportion of water varies with the conditions of preparation and decreases gradually during drying and ignition, until relatively pure silica remains. During drying the jelly is converted to a white amorphous powder or lumps.

Use: Laboratory reagent and reinforcing agent in rubber.

See silica gel.

silicochloroform. See trichlorosilane.

silicol. Silicic oxide casein metaphosphate.

silicomanganese. Alloys consisting principally of manganese, silicon, and carbon.

Use: Low-carbon steel in which silicon is not ob-

jectionable. Silicon manganese steels are used for springs and high-strength structural steels. See also manganese steels and ferromanganese.

silicomolybdic acid. See 12-molybdosilicic acid.

silicon. Si. Nonmetallic element Atomic number 14, group IVA of the periodic table, aw 28.086, valence = 4, three stable isotopes. It is the second most abundant element (25% of the earth's crust) and is the most important semiconducting element; it can form more compounds than any other element except carbon.

Properties: Dark-colored crystals (the octahedral form in which the atoms have the diamond arrangement). The amorphous form is a dark brown powder (see silicon, amorphous). Soluble in a mixture of nitric and hydrofluoric acids and in alkalies; insoluble in water, nitric acid, and hydrochloric acid. D 2.33, mp 1410C, bp 2355C, Mohs hardness 7, dielectric constant 12, coordination number 6. Combines with oxygen to form tetrahedral molecules in which one silicon atom is surrounded by four oxygen atoms. In this respect, it is similar to carbon. It is also capable of forming —Si—Si— double bonds in organosilicon compounds.

Occurrence: Does not occur free in nature, but is a major portion of silica and silicates (rocks,

quartz, sand, clays, etc.).

Derivation: Crystalline silicon is made commercially (96-98% pure) in an electric furnace by heating SiO2 with carbon, followed by zone refining. It can be purified to 99.7% by leaching. The ultra-pure semi-conductor grade (99.97%) is obtained by reduction of purified silicon tetrachloride or trichlorosilane with purified hydrogen; the silicon is deposited on hot filaments (800C) of tantalum or tungsten. In a one-step method, sodium fluorosilicate is reacted with sodium, the heat produced being sufficient to form silicon tetrafluoride; this, when reacted with sodium, yields high-purity silicon and sodium fluoride. The process requires no heat except that provided by the original reaction. Single crystals of both n- and p-type are grown by highly specialized techniques.

Grade: Ferrosilicon, regular (97% silicon), semiconductor or hyperpure (99.97% silicon), amor-

phous.

Hazard: Flammable in powder form.

Use: Semi-conductor in solid-state devices (transistors, photovoltaic cells, computer circuitry, rectifiers, etc.); organosilicon compounds; silicon carbide; alloying agent in steels, aluminum, copper, bronze, and iron (ferrosilicon); cermets and special refractories; halogenated silanes; spring steels; deoxidizer in steel manufacture. See also silica; silicate; silicone; ferrosilicon; silicon, amorphous.

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Thomas Nelson Australia 102 Dodds Street South Melbourne, 3205 Victoria, Australia International Thomson Publishing Japan Hirakawacho Kyowa Building, 3F 2-2-1 Hirakawacho Chiyoda-ku, 102 Tokyo Japan

Nelson Canada 1120 Birchmount Road Scarborough, Ontario Canada M1K 5G4 International Thomson Editores Campos Eliseos 385, Piso 7 Col. Polanco 11560 Mexico D.F. Mexico

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96 97 98 99 HAM 10 9 8 7 6 5

#### Library of Congress Cataloging-in-Publication Data

Condensed chemical dictionary.

Hawley's condensed chemical dictionary.—12th ed./revised by Richard J. Lewis, Sr.

n cm

ISBN 0-442-01131-8

1. Chemistry-Dictionaries. I. Hawley, Gessner Goodrich, 1905-1983

II. Lewis, Richard J., Sr. III. Title.

QD5.C5 1992

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92-18951

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TABLE 2 Vapor-pressure Data for the Solid and Liquid Elements\*

			Temperatures (°K) for vapor pressures, torr														
Symbol	Element	Data temp range, °K	10-11	10-10	10-9	10-8	10-7	10-6	10-6	10~4	10-3	10-2	10-1	1	10¹	102	103
Ac Ag Al Am Asi Atz Au B Ba Be EBi EC Ca Cd Cc Cr ECS Cu Dy Er Eu Fr	Actinium Silver Aluninum Americium Arsenic(s) Astatine Gold Boron Barium Beryllium Bismuth Carbon(s) Calcium Cadmium Cerium Cobalt Chromium Cesium Copper Dysprosium Ethium Europium Francium Iron		10-11 1045 721 815 712 323 221 915 1335 450 832 510 1695 470 293 1050 1020 960 1020 960 779 469 188 108	1100 759 860 752 340 231 964 1405 480 1765 495 110 1070 1070 1010 226 895 801 822 495 210	1160 800 906 © 797 358 241 1020 1480 510 925 568 1845 524 328 1175 1130 1055 241 1945 849 859 523 223 225 1105	1230 847 958 848 377 252 1080 1555 545 980 602 1930 602 1930 1955 347 1245 1195 1110 257 995 898 922 556 242 1165	1305 C 899 1015 905 400 265 1150 1640 583 1035 640 2030 590 368 1325 1265 1175 274 1060 955 981 592 260 1230	1390 958 1085 971 423 280 1740 627 1105 682 2140 1340 1250 1340 1250 1020 1050 634 280 1305	1490 1025 1160 1050 447 298 1305 675 1180 732 2260 678 419 1525 1430 1335 2 322 1210 1090 11090 1125 682 306 1490	1605 1105 1245 1140 477 316	1740 1195 1355 1245 510 338 1525 2140 800 1370 860 795 490 1795 1655 1540 387	1905 1300 1490 1375 550 364 1670 2300 ( 883 ( 1500 945 2730 870 538	2100 1435 1640 1540 590 398 1840 2280 2980 1650 1050 2930 962 593 2180 1960 1825 482 1690 1825 1690 1825 482 1690 1836 1836 1840 1840 1840 1840 1840 1840 1840 1840	○ 665 2440 2180 2010 553 1890 ○ 1710 ○ 1800	2660 1815 2050 712 480 2320 3100 1310 1310 1350 3450 1250 2280 1250 2440 643 2140 1965 2060 1260 620 2390	3030 2100 2370 2400 795 540 2680 3500 1570 3780 1570 3780 2290 2550 775 2460 2300 2420 760 2740 2300	3510 2490 2800 2970 900 3130 4000 1930 2810 1900 4190 1800 1060 3830 3220 3000 980 2920 2780 2920 2780 2920 2780 2920 2730
Fe Ga Gd EGe Hf Hg Ho In Lr La Li Lu	Gallium(l) Gadolinium Germanium Hafnium Mercury Holmium(l) Iridium(l) Iridium Potassium Lanthanum Lithium Lutetium Magnesium	1179-1383 Est. 1510-1885 2035-2277 193-575 923-2023 640-1348 1986-2600 373-1031 1655-2167 735-1353 Est. 626-1376	755 880 940 1505 170 779 641 1585 247 1100 430 1000 388	796 930 980 1580 180 822 677 1665 260 1155 452 1060 410	⊙ 480   1120	892 1035 1085 1760 201 922 761 1850 294 1295 508 1185 458	950 1100 1150 1865 214 981 812 1960 315 1375 541 1260 487	1980 229 1050 870 2080	1250 1310 2120	1350 1410 2270 266 1220 1015 2380 396 1695 677	1465 1530 2450 289 1325 1110 2560 434 1835 740 1685	○ 1600 1670 2670 319 1450 1220 ○ 2770 481 2000 810 1845	1760 1830 2930 353 1605 1355 3040 540 2200 900	1955 2050 3240 398 31800 1520 3360 618 2450 1020 2270	3750 720 2760 1170 2550	2580 2680 4130 535 2410 2030 4250 858 3150 1370 2910	2430 4900 1070 3680 1620 3370

															1	1	
Mn	Manganese	1523-1823	660	695	734	778	827	884	948	1020	1110	1210	1335	1490 🧿		1970	2370
Mo	Molybdenum	2070-2504	1610	1690	1770	1865	1975	2095	2230	2390	2580	2800 O		3390	3790	4300	5020
Na.	Sodium	496-1156	294	310	328	347	370 €	396	428	366	508	562	630	714	825	978	1175
NP .	Niobium	2304-2596	1765	1845	1935	2035	2140	2260	2400	2550	2720 O	2930	3170	3450	3790	4200	4710
Nd	Neodymium	1240-1600	846	895	945	1000	1070	1135	1220 Č		1440	1575	1770	2000	2300	2740	3430
Ni Ni	Nickel	1307-1895	1040	1090	1145	1200	1270	1345	1430	1535	1655 🔿	1800	1970	2180	2430	2770	3230
Os	Osmium	2300-2800	1875	1965	2060	2170	2290	2430	2580	2760	2960	3190	3460	3800	4200	4710	5340
P <sub>4</sub>	Phosphorusts)	2000 2000	283	297	312	327	342	361	381	402	430	458	493	534	582	642	715
Pb	Lead	1200-2028	516	546	580 C	615	656	702	758	820	898	988	1105	1250	1435	1700	2070
Pd	Palladium	1294-1640	945	995	1050	1115	1185	1265	1355	1465	1590	1735 Q		2150	2450	2840	3380
ΣPo	Polonium	711-1286	332	348	365	384	408	432	460	494 €		588	655	743	862	1040	1250
Pr	Praseodymium	1423-1693	900	950	1005	1070	1140	1220	1315	1420	1550	1700	1890	2120	2420	2820	3370
Pt	Platinum	1697-2042	1335	1405	1480	1565	1655	1765	1885	2020 €	2180	2370	2590	2860	3190	3610	4170
	Plutonium(!)	1392-1793	931	983	1040	1105	1180	1265	1365	1480	1615	1780	1975	2230	2550	2980	3590
Pu Ra	Radium	Est.	436	460	488	520	552	590	638	690	755	830	920 €		1225	1490	1840
	Rubidium	1250.	227	240	254	271	289	312	336	367	402	446	500	. 568	665	802	1000
Rb	Rhenium	2494-2999	1900	1995	2100	2220	2350	2490	2660	2860	3080 l	3340 C	3680	4080	4600	5220	6050
Re	Rhodium	1709-2205	1330	1395	1470	1550	1640	1745	1855	1980	2130 O	2310	2520	2780	3110	3520	4070
Rh		2000-2500	1540	1610	1695	1780	1880	1990	2120	2260	2420	2620 Ċ	2860	3130	3480	3900	4450
Ru	Ruthenium	2000-2000	230	240	252	263	276	290	310	328	353	382 ⊙	) 420 l	462	519	606	739
ΣS	Sulfur	693-1110	477	498	526	552	582	618	656	698	748	806	885 G	1030	1250	1560	1960
∑Sb	Antimony	1301-1780	881	929	983	1045	1110	1190	1280	1380	1505 I	1650 Ċ	1835 I	2070	2370	2780	3360
Sc	Scandium	550-950	286	301	317	336	356	380	406	437	472 C	516	570	636	719	826	972
ΣSe	Selenium	1640-2054	1090	1145	1200	1265	1340	1420	1510	1610 6	1745 1	1905	2090	2330	2620	2990	3490
<u>ΣSi</u>	Silicon	789-833	542	573	608	644	688	738	790	853	1 926	1015	1120	1260 C		1715	2120
Sm	Samarium	1424-1753	805	852	900	955	1020	1080	1170	1270	1380	1520	1685	1885	2140	2500	2960
Sn	Tin(l)	1424-1700	433	458	483	514	546	582	626	677	738	810	900	1005 @		1370	1680
Sr	Strontium	2624-2948	1930	2020	2120	2230	2370	2510	2680	2860	3080 C	3330	3630	3980	4400	4930	5580
Ta	Tantalum	Est.	900	950	1005	1070	1140	1220	1315	1420	1550 €	1700	1890	2120	2420	2820	3370
Tb	Terbium	Est.	1580	1665	1750	1840	1950	2060	2200	2350	2530 €	2760	3030	3370	3790	4300	5000
Tc	Technetium	481-1128	366	385	405	428	454	482	515	553	596	647	706 (	791	905	1065	1300
Te <sub>2</sub>	Tellurium	1757-1956	1450	1525	1610	1705	1815	1935 (		2250	2440	2680	2960	3310	3750	4340	5130
Th	Thorium		1140	1200	1265	1335	1410	1500	1600	1715	1850 C		2210	2450	2760	3130	3640
Ti	Titanium	1510-1822	473	499	527	556 (		632	680	736	803	882	979	1100	1255	1460	1750
Tl	Thallium	519-924	624	655	691	731	776	825	882	953	1030	1120	1235	1370	1540	1760	⊙ 2060
Tm	Thulium	809-1219 1630-2071	1190	1255	1325		1495	1600	1720	1855	2010	2200	2430	2720	3080	3540	4180
U	Uranium		1235	1295	1365	1 1435	1510	1605	1705	1820	1960	2120 0	2320	2560	2850	3220	3720
V	Vanadium	1666-1882	2050	2150	2270	2390	2520	2680	2840	3030	3250	3500 G		4180	4630	5200	5900
W	Tungsten	2518-3300		1100	1160	1230	1305	1390	1490	1605	1740	1905	2105	2355	2670	3085	3650
Y	Yttrium	1774-2103	1045 436	460	488	520	552	590	638	690	755	830	920	1060	1225	1490	1840
Yb	Ytterbium	Est.		354	374	396	421	450	482	520	565	617	681	760	870	1010	1210
Zn	Zinc	422-1089	336 1500	1580	1665	1755	1855	1975	2110	2260	2450	2670	2930	3250	3650	4170	4830
Zr	Zirconium	1949-2054	1900	1990	1003	1100	1000	1 20.0	****			1	1	l			1
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<sup>\*</sup> With permission, from Ref. 19.

O indicates melting point.

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# Handbook of Thin Film **Technology**

EDITED BY

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### HANDBOOK OF THIN FILM TECHNOLOGY

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07-039742-2

34567890 KPKP 987

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